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## OLR Bill Analysis

**sSB 1018 (File 443, as amended by Senate “A” and “C”)\***

### ***AN ACT CONCERNING ENFORCEMENT OF ENVIRONMENTAL CONSERVATION LAWS.***

#### **SUMMARY:**

This bill makes various changes in the environmental conservation laws. It:

1. lowers the fine, from up to \$1,000 to up to \$85, for importing, possessing, or liberating fish or aquatic invasive species and makes a violation an infraction;
2. authorizes the Department of Energy and Environmental Protection (DEEP) to suspend a marine waters fishing license for violations of marine sport fishing regulations;
3. requires people to have a marine waters fishing license to use certain seines, nets, and traps for taking marine bait species;
4. authorizes the DEEP commissioner to specify marking requirements for commercial fishing vessels and gear in regulation;
5. exempts from the prohibition on possessing potentially dangerous animals (a) certain veterinarians and (b) people possessing cats certified by specified organizations;
6. requires DEEP to maintain donated improvements to real property or, if not economically practicable, to raze the structures and return the property to its natural condition; and
7. makes minor and technical changes.

\*Senate Amendment “A” specifies that importing, possessing, or liberating fish or aquatic invasive species is an infraction and reduces

the fine to up to \$85.

\*Senate Amendment "C" (1) adds (a) the exemptions to the potentially dangerous animal law and (b) DEEP's responsibilities concerning donated improvements to real property and (2) makes a technical change.

EFFECTIVE DATE: Various, see below.

### **§§ 2-3, 9 — PENALTY FOR AQUATIC INVASIVE SPECIES**

The law prohibits importing, introducing, possessing, or liberating any live fish, wild bird or mammal, reptile, amphibian, or invertebrate into Connecticut. Violators are subject to a penalty of up to \$1,000, to be set by the court, for each offense.

The bill lowers the fine to up to \$85 for violators who import, introduce, possess, or liberate any live fish or aquatic nuisance invertebrates (e.g., Asian carp or zebra mussels). Importing, possessing, or liberating each fish or invertebrate is a separate offense, and each day of a continuing violation is a separate offense. The bill allows such violators to pay the fine by mail to the Central Infractions Bureau without making a court appearance.

EFFECTIVE DATE: Upon passage

### **§§ 4-5 — MARINE WATERS FISHING LICENSE**

#### ***License Suspension***

The bill allows DEEP to suspend a marine waters fishing license for violations of marine sport fishing regulations.

The law authorizes DEEP to suspend hunting, fishing, and trapping licenses for violations of fish and game laws and regulations. It eliminates the exemption for violations of the regulations that set marine fishery creel and length limits and seasons.

#### ***License Required to Use Seines, Nets, and Traps***

The bill requires a person to have a marine waters fishing license to use certain seines, nets, and traps to take bait species and other species

in the marine district for personal use. By law, a person with a sport fishing license can use the seines, nets, and traps to take such species in the inland district.

EFFECTIVE DATE: October 1, 2013

#### **§ 6 — TAKING FINFISH WITH LOBSTER POT LICENSE**

The bill requires finfish taken incidentally under a personal use lobster pot license to meet the sport fishing length limits and seasons adopted in state regulations. Under existing law, unchanged by the bill, finfish must also meet the regulation's sport fishing creel limits.

EFFECTIVE DATE: October 1, 2013

#### **§§ 7-8, 10 — MARKING COMMERCIAL FISHING BOATS AND GEAR**

The bill repeals the law that sets requirements for marking commercial fishing boats and gear. It instead authorizes the DEEP commissioner to specify marking requirements in regulations. In doing so, it decreases the penalty for violating the marking requirements from a class D misdemeanor, which is punishable by a fine of up to \$250, imprisonment of up to 30 days, or both, to an infraction.

EFFECTIVE DATE: October 1, 2014

#### **§ 501 — EXEMPTIONS TO POTENTIALLY DANGEROUS ANIMALS LAW**

The bill exempts from the law that makes it illegal to possess a potentially dangerous animal (1) a licensed veterinarian treating or caring for such an animal and (2) anyone possessing a breed of cat certified by the International Cat Association, Cat Fanciers Association, or American Cat Fanciers Association. Currently, anyone possessing certain Bengal cats on or before June 6, 1996 is exempt. By law, certain municipal parks, zoos, public nonprofit aquaria, nature centers, museums, exhibitors, and research facilities are also exempt.

EFFECTIVE DATE: Upon passage

**§ 502 — DONATED PROPERTY IMPROVEMENTS**

The bill requires DEEP to maintain any improvements to real property donated to it in a safe, sanitary, and secure condition at least equivalent to the improvement's condition at the time of donation. If the maintenance cost becomes economically impracticable, the bill requires DEEP to raze the structure and return the real property to its natural condition.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 28 Nay 0 (03/25/2013)